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Attorney for *Defendant Jesus Magallanes*



UNITED STATES OF AMERICA,

Plaintiff,
 vs.
 JESUS MAGALLANES,

Defendant.

No. 10-cr-00112-DLJ

 STIPULATION AND ORDER
 CONTINUING CHANGE OF PLEA/FURTHER
 STATUS CONFERENCE

 Date: July 30, 2010
 Time: 9:00 a.m.
 Hon. D. Lowell Jensen

STIPULATION FOR CONTINUANCE OF CHANGE OF PLEA/FURTHER STATUS CONFERENCE

It is hereby stipulated and agreed to between the United States of America through CYNTHIA LEWIS STIER, Assistant United States Attorney, and defendant, JESUS MAGALLANES, by and through his respective counsel, that the change of plea/further status conference in the above-captioned matter set for Friday, July 30, 2010, be continued to Friday, August 6, 2010, at 9:00 a.m.

The parties further stipulate that the time period from Friday, July 30, 2010, up to and including the new change of plea/further status conference date of Friday, August 6, 2010, should be excluded from computation of the time for commencement of trial under the Speedy Trial Act. The parties stipulate that the ends of justice are served by the Court excluding such time, so that defense counsel may have reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161 (h) (7) (B) (iv). Specifically, defendant agrees that his counsel needs additional time to continue discussions with the government regarding potential resolution of the case, review produced

discovery in the case, and effectively evaluate the posture of the case and potentially prepare for trial. See id.

For these reasons, the defendant, defense counsel, and the government stipulate and agree that the interests of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161 (h) (7) (B) (iv); 18 U.S.C. § 3161 (h) (7) (B) (ii).

Respectfully Submitted,

DATE: July 28, 2010


By: /s/ Robert J. Beles
ROBERT J. BELES
Counsel for Jesus Magallanes

DATE: July 28, 2010

By: /s/ Cynthia Lewis Stier
CYNTHIA LEWIS STIER
Assistant U.S. Attorney

IT IS SO ORDERED.

Dated: July 29, 2010



D. LOWELL JENSEN
UNITED STATES DISTRICT JUDGE